

hundred and fifty societies, with a membership of about twelve thousand Christian young people, I wish to thank you for your earnest efforts to cleanse this great State from the evils of the saloon, and to offer you all the support and encouragement possible.

We earnestly hope that the bills which you and your colleagues have presented to the Senate will be passed and enacted into laws that will effectually drive the saloon from our University cities and towns, and also prevent the procuring of liquor in the local option sections.

With best wishes and prayers for your success in these measures, I am,

Yours sincerely,

CHARLES COTTY,
Secretary Texas C. E. Union.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,
Saturday, August 6, 1910.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, a quorum being present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Hume.	Veale.
Kauffman.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Paulus.

Absent—Excused.

Stokes.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, Senator Kellie moved that further reading be dispensed with.

The motion was adopted by the following vote:

Yeas—15.

Adams.	Hudspeth.
Harper.	Hume.

Kauffman.
Kellie.
Meachum.
Murray.
Peeler.
Real.

Senter.
Terrell of McLennan.
Watson.
Weinert.
Willacy.

Nays—14.

Alexander.
Brachfield.
Bryan.
Cofer.
Greer.
Holsey.
Mayfield.

Perkins.
Ratliff.
Sturgeon.
Terrell of Bowie.
Terrell of Wise.
Veale.
Ward.

Absent.

Paulus.

Absent—Excused.

Stokes.

There being no business under the regular order of business, the Chair declared the morning call concluded.

REFUSE TO RECEIVE COMMITTEE REPORT.

Senator Peeler here asked unanimous consent to present a committee report. Senator Cofer objected.

POINT OF ORDER.

Senator Alexander made the point of order that the Senate having met today and adjourned, thereby completing a legislative day, could not legally hold another session on the same calendar day, because there can not be two complete legislative days in one calendar day.

EXECUTIVE MESSAGE.

Executive Office,
State of Texas.

Austin, August 6, 1910.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3, of the Constitution of the State of Texas, I hereby designate and present to you for your consideration the following subjects and suggest legislation thereon:

1. Legislation requiring the erection and maintenance of buildings for the protection from rain, wind, and inclement weather, of employes engaged in repairing railroad cars and other railroad equipment, and providing penalties for violations, and regulating suits for such penalties, and such fur-

ther legislation upon this subject as may be appropriate and is necessary to provide proper protection to employes engaged in such work.

2. Legislation requiring persons, firms, corporations and associations of persons engaged in compressing cotton in this State to so bind and tie all bales of cotton so that no bale of cotton by them compressed, recompressed, baled or rebaled, shall be delivered to any railroad company or other common carrier unless the same is free from "spiders," exposed ends of bands or any exposed or any obtruding part of the ties, bands, buckles or splices used in tying or baling such bale of cotton, and to provide penalties and methods of enforcement of the laws enacted on this subject.

3. Legislation making an appropriation for the repair, improvement and construction of a sewerage system and for general repairs for the North Texas Hospital for the Insane. An appropriation approximating \$5000 will be necessary for the repairs and improvements here mentioned, and as the present sewerage system is not only endangering the health of the inmates of the institution, but of the people of the city of Terrell, it is respectfully urged that action be taken at once.

An appropriation of \$1200 for overhauling and repairing the three boilers at the Deaf and Dumb Institute, and to put them in safe working condition, is also presented for your consideration. This work should begin at once, so that the boilers may be made safe prior to the opening of this Texas School for the Deaf and Dumb in September.

The General Appropriation Bill carried an item of \$1200 for clerk hire for the State Tax Commissioner, which item was vetoed, as it was believed that the Commissioner would only need the services of a clerk during the months of May and June, and that provision could be made therefor by a deficiency appropriation. The Commissioner employed a clerk for the months mentioned at \$100 per month, and as there is some doubt about the authority of the Governor to allow deficiencies in the absence of an appropriation naming the item to which such deficiency could be attached, it is here suggested to the Legislature that an appropriation of \$200 be made to pay for the services of the clerk employed for the months of May and June as above stated.

4. Legislation amending the election laws of the State of Texas as may be

deemed necessary by the Legislature and as may be necessary to conform to the amendment of Section 120 heretofore submitted by message to your Honorable Bodies.

5. Legislation reorganizing the Seventieth Judicial District of Texas, and to fix the time of holding court in each of the counties of the said Seventieth Judicial District, and declaring an emergency. The act creating the Seventieth Judicial District is Chapter 8, General Laws of the Thirty-first Legislature, page 10, which act was approved February 3, 1909, and became a law on the same day. The said district was at the time of creation composed of the counties of Midland, Ector, Gaines, Glasscock, Reeves and Ward, and the unorganized counties of Andrews, Winkler, Crane, Loving and Upton. Since the creation of the district the counties of Andrews, Winkler and Upton have been organized and the counties of Crane and Loving remain unorganized. The three counties organized now have no established and fixed terms or sessions for the district court in such counties, and it is of great public importance that terms of court for said counties should be provided by law at once.

Very respectfully,
T. M. CAMPBELL,
Governor of Texas.

POINT OF ORDER.

Action recurred on the point of order by Senator Alexander, the Chair (Lieutenant Governor Davidson) asked time to consider the matter and to look up the authorities on same.

RECESS.

Senator Meachum moved, with the understanding that all members would be present, that the Senate recess until 3 o'clock p. m.

The motion was adopted.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

POINT OF ORDER.

Action recurred on the point of order by Senator Alexander, he having the floor.

Pending discussion, the Chair (Lieutenant Governor Davidson) overruled the point of order, holding that this was a new legislative day.

Senator Brachfield appealed from the ruling of the Chair.

President Pro Tem. Alexander was called to the chair.

Question—Shall the Chair be sustained?

The Senate sustained the ruling of the Chair by the following vote:

Yeas—15.

Adams.	Peeler.
Harper.	Real.
Hudspeth.	Senter.
Hume.	Terrell of McLennan.
Kauffman.	Watson.
Kellie.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—14.

Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Terrell of Bowie.
Greer.	Terrell of Wise.
Holsey.	Veale.
Mayfield.	Ward.

Absent.

Paulus.

Absent—Excused.

Stokes.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, August 6, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 20, A bill to be entitled "An Act to prohibit the exchange, barter and sale of spirituous, vinous, malt liquors or medicated bitters capable of producing intoxication within ten miles of the State University of Texas, and all branches thereof, including the Agricultural and Mechanical College; except for medicinal, mechanical or sacramental purposes and fixing the penalty therefor, repealing all laws in conflict herewith, and declaring an emergency," with engrossed rider.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill: House bill No. 20, referred to Judiciary Committee No. 2.

SENATE BILL NO. 12.

The Chair laid before the Senate

Senate bill No. 12, A bill to be entitled "An Act to prohibit the drinking of spirituous, vinous or malt liquors, and medicated bitters capable of producing intoxication on the premises where sold (in any locality of this State other than where local option is in force), and providing penalties therefor, and declaring an emergency."

There being a majority adverse and minority favorable committee report on the bill.

Senator Senter made the point of order that the committee report had not laid over for one day, contending that the committee report having been made on the 6th day of August, the bill could not be considered on this calendar day.

The Chair (Lieutenant Governor Davidson) stated that he would take the matter under advisement until Monday morning at 10 o'clock.

HOUSE BILL NO. 18.

Senator Senter moved that the pending order of business (Senate bill No. 12) be suspended, and the Senate take up, out of its order, House bill No. 18.

The motion was adopted by the following vote:

Yeas—29.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Hume.	Veale.
Kauffman.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Paulus.

Absent—Excused.

Stokes.

On motion of Senator Senter, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report), by the following vote:

Yeas—29.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Hume.	Veale.
Kauffman.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Paulus.

Absent—Excused.

Stokes.

On motion of Senator Senter, the committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, on second reading,

House bill No. 18. A bill to be entitled "An Act to amend an act entitled 'An Act to authorize Galveston county to build and own the combination roadway and bridge from mainland to Galveston Island across Galveston bay, to connect as part of the roadways of the county on the island and mainland and the county to issue bonds for same on taxation; also establishing three-mile limit and condemnation proceedings and providing for the right of way; also to authorize all corporations contracting for right of way upon or use of said structure to issue and sell bonds therefor under the regulation and authority of the Railroad Commission; and to lease and authorize corporations and the city of Galveston to lease right of easement of user of portion of said structure from such county on terms provided by this act and agreed on with the county commissioners court, with an emergency clause,' approved March 16, 1907, being Chapter 26 of the Special Laws passed at the Regular Session of the Thirtieth Legislature, by adding thereto Sections 1a and 1b, authorizing the commissioners court of said county to issue, for the purpose mentioned in said act, bonds of the county bearing interest at a rate

not exceeding 6 per cent per annum, and to levy and collect an additional annual ad valorem tax to pay interest and create a sinking fund on said bonds, provided that a majority of the qualified property taxpaying voters of the county voting at an election to be held for that purpose shall vote such tax, not to exceed 15 cents on the \$100 valuation of property subject to taxation in said county, and providing for the sale of such bonds and for the cancellation or sale of bonds heretofore issued by said commissioners court under said act."

Bill read second time, and ordered engrossed.

On motion of Senator Senter, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Hume.	Veale.
Kauffman.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Paulus.

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—29.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Terrell of Wise.
Hume.	Veale.
Kauffman.	Ward.
Kellie.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.
Paulus.
Absent—Excused.
Stokes.

Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Bryan:

Senate bill No. 19, A bill to be entitled "An Act to reorganize the Seventieth Judicial District of Texas, and to fix the time of holding court in each of the counties of said Seventieth Judicial District, and to declare an emergency."

Read first time, and referred to Committee on Judicial Districts.

RECESS.

Senator Meachum moved that the Senate recess until Monday morning at 9 o'clock.

Senator Terrell of Bowie moved, as a substitute, that the Senate adjourn until Monday morning at 10:30 o'clock.

Action being on the longest time first, the motion to adjourn was lost by the following vote:

Yeas—14.

Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Terrell of Bowie.
Greer.	Terrell of Wise.
Holsey.	Veale.
Mayfield.	Ward.

Nays—15.

Adams.	Peeler.
Harper.	Real.
Hudspeth.	Senter.
Hume.	Terrell of McLennan.
Kauffman.	Watson.
Kellie.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Paulus.
Absent—Excused.
Stokes.

The motion to recess was then adopted by the following vote:

Yeas—15.

Adams.	Hudspeth.
Harper.	Hume.

Kauffman.	Senter.
Kellie.	Terrell of McLennan.
Meachum.	Watson.
Murray.	Weinert.
Peeler.	Willacy.
Real.	

Nays—14.

Alexander.	Perkins.
Brachfield.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Terrell of Bowie.
Greer.	Terrell of Wise.
Holsey.	Veale.
Mayfield.	Ward.

Absent.

Paulus.
Absent—Excused.
Stokes.

BILLS SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

Senate bill No. 8, "An Act authorizing the Treasurer of the State of Texas, upon warrant drawn by the Comptroller, to pay off and discharge bonds aggregating the sum of \$13,200, issued by the State of Texas, bearing date July 1, 1879, and due July 1, 1909, together with interest accrued thereon up to the date of the passage and taking effect of this act, and authorizing the Comptroller of Public Accounts to cancel said bonds and now held by any individual or individuals, corporation or corporations, upon presentation of said bonds for payment, and providing for interest to cease upon said bonds after the passage and taking effect of this act, and making an appropriation of the sum of \$15,500 for that purpose, and declaring an emergency."

Senate bill No. 10, "An Act appropriating and transferring to a fund to be known as 'Pure Feed Fund of the A. and M. College' all money collected under the Pure Feed Inspection Acts of the Twenty-ninth Legislature, and not expended for and on behalf of the A. and M. College, and authorizing the expenditure of same."

AFTER RECESS.

The hour having arrived for the Senate to convene, and in the absence of the President and the President Pro

Tem., the Senate was called to order by the Secretary of the Senate, Clyde D. Smith.

ADJOURNMENT.

Senator Greer moved that the Senate adjourn until 9 o'clock Thursday morning.

The motion was adopted.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, August 6, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

House bill No. 18, A bill to be entitled "An Act to amend an act entitled 'An Act to authorize Galveston county to build and own the combination roadway and bridge from mainland to Galveston Island across Galveston bay, to connect as part of the roadways of the county of the island and mainland and the county to issue bonds for same on taxation, also establishing three-mile limit and condemnation proceedings and providing for the right of way; also to authorize all corporations contracting for right of way upon or use of said structure to issue and sell bonds therefor under the regulation and authority of the Railroad Commission; and to lease and authorize corporations and the city of Galveston to lease right of easement of user of portion of said structure from such county on terms provided by this act and agreed on with the county commissioners court, with an emergency clause,' approved March 16, 1907, being Chapter 26 of the Special Laws passed at the Regular Session of the Thirtieth Legislature, by adding thereto Sections 1a and 1b authorizing the commissioners court of said county to issue for the purpose mentioned in said act bonds of the county bearing interest at a rate not exceeding 6 per cent per annum, and to levy and collect an additional annual ad valorem tax to pay interest and create a sinking fund on said bonds, provided that a majority of the qualified property taxpaying voters of the county voting at an election to be held for that purpose shall vote such tax, not to ex-

ceed 15 cents on the \$100 valuation of property subject to taxation in said county, and providing for the sale of such bonds, and for the cancellation or sale of bonds heretofore issued by said commissioners court under said act, and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Senter, Chairman; Terrell of Bowie, Holsey, Real, Sturgeon, Peeler, Alexander, Willacy, Cofer, Hume, Kauffman.

(Floor Report.)

Austin, Texas, August 6, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred House Concurrent Resolution No. 3, have had the same under consideration, and we report the same back to the Senate with the recommendation that it do pass, and be not printed.

Peeler, Chairman; Cofer, Hume, Perkins, Ward, Sturgeon, Bryan, Alexander.

Committee Room,
Austin, Texas, August 6, 1910.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 11, A bill to be entitled "An Act to amend Chapter 16 of the Acts of the Regular Session of the Thirty-first Legislature of the State of Texas, approved February 20, 1909, entitled 'An Act authorizing any county in the State of Texas, having a population in excess of fifty thousand inhabitants, by the last preceding United States census, to submit to the qualified voters the propriety of a bond issue for the construction and maintenance of causeways, viaducts, bridges and approaches across any rivers within the limits of such county, and to provide for the construction, maintenance and use of such causeways, viaducts, bridges and approaches, and declaring an emergency,' by adding thereto Sections 9a and 9b, providing a method by which counties may acquire land upon which to construct and maintain said causeways, viaducts, bridges and approaches, by condemnation, and by grant from cities and counties of the right to use streets, alleys, public highways and pub-

lie grounds, and to authorize counties to construct said causeways, viaducts, bridges and approaches across the lines of railway, telegraph and telephone corporations, and the method thereof, and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Senter, Chairman; Terrell of Bowie, Holsey, Real, Sturgeon, Peeler, Alexander, Willacy, Cofer, Hume, Kauffman.

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, August 11, 1910.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, a quorum being present, the following Senators answering to their names:

Adams.	Perkins.
Alexander.	Ratliff.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Sturgeon.
Greer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Holsey.	Terrell of Wise.
Hudspeth.	Veale.
Kauffman.	Ward.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	Willacy.
Peeler.	

Absent.

Hume.	Mayfield.
Kellie.	Stokes.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday, on motion of Senator Perkins, the same was dispensed with.

(See Appendix for petitions and memorials and committee reports.)

SIMPLE RESOLUTION.

Senator Peeler here offered a resolution anent the death of Walter F. Colquitt, son of Hon. O. B. Colquitt. The resolution was unanimously adopted by a rising vote. (See memorial page of today's Journal for resolution.)

POINT OF ORDER WITHDRAWN.

Here Senator Brachfield asked to withdraw the point of order, made by him on Saturday, August 6, relative to a committee report having to lay over for one day.

Permission was given to withdraw the point of order.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Watson:

House Concurrent Resolution No. 4, designating Monday, August 15, 1910, at noon, for the Third Called Session of the Thirty-first Legislature to adjourn sine die.

The resolution was read first time, and referred to Committee on State Affairs.

By Senator Terrell of Bowie:

Senate bill No. 20, A bill to be entitled "An Act making an appropriation for a deficiency in support of the State government for the fiscal year ending August 31, 1910, being to pay for the services of a clerk employed by the Tax Commissioner of the State of Texas, and declaring an emergency."

Read first time, and referred to Finance Committee.

Morning call concluded.

SENATE BILL NO. 3.

The Chair laid before the Senate, on second reading and special order for this hour,

Senate bill No. 3. A bill to be entitled "An Act to repeal Chapter 18 of the General Laws of the Thirty-first Legislature, relative to fire insurance companies prescribing conditions for transacting business, and declaring an emergency."

There being a favorable majority committee report and an adverse minority committee report, recommending a favorable substitute bill.

Senator Hudspeth moved to adopt the majority committee report.

Senator Alexander moved, as a substitute, the adoption of the minority committee report.

Pending discussion on the bill, Senator Murray moved that further consideration of the bill be postponed for today and made a special order for tomorrow morning at the conclusion of the morning call.

The motion prevailed.